

OFFICE OF THE UNITED STATES TRUSTEE

TIFFANY L. CARROLL
Acting United States Trustee
CURTIS CHING 3931
Assistant United States Trustee
NEIL VERBRUGGE 7478
Trial Attorney
300 Ala Moana Boulevard, Room 4108
Honolulu, Hawaii 96850
Telephone: (808) 522-8155
Email: ustpregion15.hi.ecf@usdoj.gov
Email: Neil.Verbrugge@usdoj.gov

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN MARIANA ISLANDS
BANKRUPTCY DIVISION**

In re

**IMPERIAL PACIFIC INTERNATIONAL
(CNMI), LLC.**

Debtor and Debtor-in-Possession.

Case No. 24-00002
(Chapter 11)

Hearing:
Date: December 13, 2024
Time: 9:00 a.m. (ChST)
Judge: Hon. Robert J. Faris

[Related Docket Entry: Dkt. #294]

**UNITED STATES TRUSTEE'S STATEMENT OF CONSENSUAL REDUCTION IN
FEES WITH REGARD TO THE FIRST INTERIM FEE APPLICATION OF CHOI &
ITO, AS DEBTOR'S GENERAL BANKRUPTCY COUNSEL, FOR THE PERIOD
APRIL 18, 2024 TO OCTOBER 31, 2024**

The United States Trustee, by and through counsel, hereby submits this Statement of Consensual Reduction in Fees (“Statement”) with regard to the First Interim Fee Application of Choi & Ito, As Debtor’s General Bankruptcy Counsel, for the Period April 18, 2024 to October 31, 2024 (“First Interim Fee Application”). Choi & Ito (“CI”) seeks an award of compensation in the amount of \$259,674.12 (comprised of \$248,492.06 in fees (inclusive of general excise tax)

1 and \$11,182.06 in expenses). The United States Trustee has authority and standing to make this
 2 statement since its responsibilities include, among other things, supervising “the administration
 3 of cases ... under Chapter 11” of the Bankruptcy Code. 28 U.S.C. § 586(a)(3). Pursuant to 28
 4 U.S.C. §586(a)(3)(A), the United States Trustee has the duty and authority to file comments
 5 regarding fee applications.

6 In support, the United States Trustee respectfully represents as follows:

7 1. The fee applicant bears the burden of proof to show entitlement to the requested
 8 fees under 11 U.S.C. § 330. *See In re Eliapo*, 298 B.R. 392, 402 (B.A.P. 9th Cir. 2003), *rev'd in*
 9 *part on other grounds*, 468 F.3d 592 (9th Cir. 2006); *In re Ginji Corp.*, 117 B.R. 983, 990
 10 (Bankr. D. Nev. 1990) (“[t]he applicant ... has the burden of proof to show the reasonableness of
 11 the fees sought”).

12 2. Interim fee awards are always subject to reexamination during a bankruptcy case.
 13 *See In re Strand*, 375 F.3d 854, 858 (9th Cir. 2004).

14 3. The United States Trustee has reached an agreement with the Applicant to resolve
 15 the United States Trustee’s concerns regarding Applicant’s First Interim Fee Application prior to
 16 the above-captioned hearing.

17 4. Applicant has consented to a voluntary reduction of \$975.00 in legal fees as
 18 follows:

Objection Basis	Hours	Fees
1. Monthly Fee Statements	2.8	\$975.00
TOTAL	2.8	\$975.00

24 5. Additionally, Applicant has agreed to file a pleading (stipulation or supplemental
 25 declaration) that sets forth the time entries consensually reduced.

6. With this reduction of \$975 in fees, the United States Trustee does not oppose the Applicant's First Interim Fee Application.

DATE: Honolulu, Hawaii, November 20, 2024.

Tiffany L. Carroll
Acting United States Trustee

By /s/ NEIL VERBRUGGE
Trial Attorney